

FORM N

GRANT OF UTILITIES

This is a sample form. The form submitted to the Planning Board shall be prepared as an original document. The Developer should not attempt to "fill in the blanks" on this copy. It is not necessary to include the term FORM N on the form submitted to the Planning Board.

By instrument (note: the "instrument" referred to here is the easement granted to the Town at the time the subdivision was approved) dated ___, recorded in Middlesex County Registry of Deeds, Book ___, Page ___, and/or registered in ___ Registry District of the Land Court, as Document No. ___, and noted on Certificate of Title No. ___, Registration Book ___, Page ___, (name of developer) for consideration paid, granted to the Town of Lexington, the perpetual right and easement to: a) use in common with the grantor and others from time to time entitled to use the same, the Property for all purposes for which streets and ways are now or may hereafter be used in the Town of Lexington and b) construct, inspect, repair, remove, replace, operate and forever maintain (1) a sanitary sewer or sewers with any manholes, pipes, conduits and other appurtenances, (2) pipes, conduits and their appurtenances for the conveyance of water, (3) underground utility lines, including, without limitation, gas pipes, electric lines, telephone lines, cable television lines and other lines for transmission intelligence and data, and (4) a surface and ground water drain or drains with any manholes, pipes, conduits and their appurtenances (all of which sewers, pipes, conduits, utility lines, water drains and other such items shall remain the property of the Town of Lexington or the person installing the same), and to do all other acts incidental to the foregoing, including the right to pass along and over the land for the aforesaid purposes, in, through, and under the whole of (name of street) as shown on a certain plan entitled (name of plan), dated ___, 20___, by (designer), recorded in the Middlesex County Registry of Deeds, Book ___, Page ___, and/or registered in ___ Registry District of the Land Court, as Document No. ___.

NOW, THEREFORE, in consideration of one dollar (\$1.00) in hand paid and other considerations, the receipt of which is hereby acknowledged, (name of developer) hereby grants, sells, transfers and delivers unto said Town of Lexington and its successors and assigns forever, all (1) sanitary sewer or sewers with any manholes, pipes, conduits and other appurtenances, (2) pipes, conduits and their appurtenances for the conveyance of water, and (3) covered surface and ground water drain or drains with any manholes, pipes, conduits and their appurtenances that have been constructed or installed in said easement(s).

AND, (name of developer) hereby covenant with the grantee that said (name of developer), is the lawful owner of the foregoing articles, that they are free from all encumbrances, that (name of developer) has good right to sell the same as aforesaid, and that (name of developer) will warrant and defend the same against the claims and demands of all persons.

IN WITNESS WHEREOF, we hereunto set our hands and seals this (day) day of (month), 20___.

Owner's signature: _____

Executed as a sealed instrument this _____ day of _____, 20__.

Signature of individuals, trustees under a declaration of trust or corporate officers, thereunto duly authorized, as owner(s) or mortgagee(s), as applicable:

Owner(s)*

(seal if applicable)

*If there is more than one owner,
all must sign

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss

(date)

Then personally appeared before me the above-named (name of owner as individual, trustee or corporate officer, as applicable) and acknowledged the foregoing instrument to be his free act and deed (and the free act and deed of said corporation).

Notary Public

My Commission Expires:

(Attach votes of corporation authorizing execution of Grant, if applicable.)